Sectt. II-27—40,004—6-11-28.

LSG (1930) Department.

MS: SERIES.

G.O. No. 1178 P.H.

DATED 13-5-1930

[Despatch Abstract.]

Town Planning - Mangalore Municipal Council - Guliga Hithulu Improvement Scheme to be prepared as a regular town planning scheme.

No. 1648-B3-28

CF 30

DEPARTMENT.

COLLECTOR'S OFFICE
No.
17 FEB 1928
SOUTH CANARA

Received ... 192 . *Registered* ... 192

Subject.

Guliga Hithlu Improvement Scheme.

7173

Enclosures.
No. 1
Spare copies

1750-28-B1

C. No. 751-A1/27-28.

Station Mangalore, *Dated the* 14th February 1928.

From (Name) M.R.Ry. Rao Sahib Nellikai Venkat Rao, Avl.,

(Designation) Chairman, Municipal Council, Mangalore.

To The Secretary to the Government of Madras

Local Self Government Department.

Through the Collector of South Kanara.

Sir,

I have the honour to submit herewith the Guliga Hithlu Area Improvement Scheme.

The scheme relates to a very insanitary area - in the heart of the town and was recommended by the ---- Director of Town Planning as early as 21st February 1924 and action was recommended by Government in Memo.No.5814-1 P.H. dated 3rd April 1924 and again in G.O.No.Mis.1229 P.H. dated 22nd July 1926. The Council resolved to --- make the improvement scheme by its resolution No.17 of 9th February 1927 and finally the scheme was approved by its

V

resolution dated 19th December 1927.

The scheme has also been sent to the Director of Town Planning for his approval which he has given in his letter D.T.P.No.48/1928 dated 9th January 1928.

Page 11-12 infra

It is requested that under section 6 of the Town Planning Act the Government may be pleased to approve of the scheme and to apply with necessary modifications sections 23 to 26 and chapters V & VII of the Act for purposes of the scheme.

The scheme consists of the following area:-

Revenue Survey No. 155, 154, 414, 413 C & B, 412, 411, 410 A/1, A1/B, A1/C, A1/A, ~~XXX~~ 409 corresponding to Town Survey Nos. 2, 3, 4/1&2, 5, 6, 7, 8 & 9 of Court ward (No.V) of the Mangalore ---- Municipality.

Your obedient servant,

M.C.K.C. Venkata Rao

Chairman, M. C.

P.S.

3/

THE GULIGA HITHLU AREA IMPROVEMENT SCHEME - MANGALORE.
****

1. This scheme may be cited as The Guliga Hithlu -- Area Improvement Scheme, Mangalore.'

2. The main purpose of the scheme is the improvement of a highly insanitary area by opening out with roads and drains. In addition, it is proposed to acquire the kutcha property - facing on Court and Balmatta Roads, widen the roads and --- either build shops or houses on the new frontage, or sell or lease the land for that purpose, building to be in accordance with the provisions of the scheme and to the approval of the Council. In the rear, only the land required for roads and reserved space for shops is proposed to be acquired, unless action is taken under Section 165(b) of the District Municipalities Act unless the appropriate section of the Town -- Planning Act are applied to the scheme by Government.

3. The area included in the scheme shall be that within the inner edge of the boundary line coloured red on Map. C 1.

4. The ownership and extent of lands included in the scheme are given in schedule I.

5. The estimate of net cost of the scheme is given in schedule II.

6. The lands, proposed to be acquired by the Council for purposes of the scheme, are shown in schedule III.

7. The Council shall be entitled to enter upon and -- take possession of lands shown in schedule III hereto at any

time after six months from the date of sanction of this ---- scheme by the Government.

8. The area shall be laid out in the manner shown on the Map. C.

9. So far as may be necessary for the purposes of the scheme, the new streets and street widenings mentioned in -- schedule IV and shown on the Map shall be constructed by the Council.

10. Such of the lands acquired by the Council in the - area ~~---~~ that remain after laying out new streets, street -- widenings, open spaces or curtileges to existing houses may be sold, leased or otherwise disposed of as the Council may determine subject to the payment of the same ground rent or -- assessment as was levied upon them prior to acquisitions. The rates so fixed will be liable to revision at resettlements, Persons who have been displaced by the scheme will be given preference in the alotment of sites or accomodation.

11. Residential Buildings will be permitted in the area; shops and business premises will be permitted fronting on to Balmatta and Court Roads and garages may be permitted where shown on Map C.

(b) Plans and elevation of buildings shall be as per design approved by the Council.

(c) The street alignments of the Balmatta and the Court roads shall be as shown on the Map and their building lines shall be set back 5' from the said street alignments as shown on the Map.

12. The Council may subject to the approval of Govern-

Government make any agreement that it thinks fit with any person or persons in furtherance of the carrying out of the --- scheme or any matters concerning therewith, provided that such agreement is not inconsistent with the scheme.

H E clauses 13 to 19 from pp 3-4 w.b

GULIGA HITILU SCHEME.

SCHEDULE I.

Ownership and extent of land.

Serial number.	Ward number.	Block number.	Town survey number.	Sub Division number.	Extent a.	Extent Square feet.	Name of owners.	Remarks.
1.	5.	1.	2.	..		7405.	M.Alvares.	
2.			3.	B.		20038	Sayyed Mahamood Saheb.	
3.			4.	1.		37659	Dasa Seregara.	
4.			,,	2.		674	Sayyed Mahammad Sahib.	
5.			5.			3920	Pandit Shiva Rao, Mulgeni Balu.	
6.			6.			1742	Guruvappa Moili, Mulgeni Maire.	
7.			7.			2178	-Do- Aithu.	
8.			8.	A1A.		17642.	Guruvappa Moili.	
9.			,,	A1.B.		654.	A. J. Lobo.	
10.			,,	A1.C.		436.	-do-	
11.			,,	A.2.		2614.	Balkrishna Rao Rada Bai.	
12.			,,	B.		6098.	Krishnappa (Purchaser Pandit Shiva Rao)	
13.			,,	C.		3049.	Pandit Shiva Rao, Mulgeni Balu.	
14.			9.			1307	Balkrishna Rao, Rada Bai.	
						105416		

Town Planning overseer

chairman

Guliga Hithlu Scheme.
****

Schedule II.

Estimate of the net cost of the Scheme.

D E B I T S.	Rs.	A.P.	C R E D I T S.	Rs.	A.P.
1. Acquisition of lands, buildings, &c. ..			1. Government grants.		
(1) For roads and lanes.	12000	0-0.	2. Contribution from		
(2) For other purposes.	16500	0-0.	(a) Government departments.		
			(b) Other Local authorities.		
2. Improvements:-			(c) Private persons.		
(1) Raising level. ..	1000	0-0.			
(2) Forming roads. ..	2000	0-0.	3. Sale proceeds of sites and buildings.	20000	0-0.
(3) Culverts.	2000	0-0.			
(4) Drains.	2500	0-0.	4. Amounts debitable to		
(5) Lighting.			(a) The Elementary Education Fund of the -- Municipality. ..		
(6) Water Supply. ..			(b) The water supply and Drainage Fund. ..		
(7) Latrines.			(c) The Remunerative -- enterprises Fund.		
(8) Schools.					
(9) Markets.					
(10) Other works. ..	2000	0-0.			
3. Compensation for injurious affection.					
4. Miscellaneous. ..			5. Other items.		
(1) Cost of preparation of schemes including special surveys.	100	0-0.	T o t a l.	20000	0-0.
(2) Cost of arbitration, &c.	250	0-0.			
(3) Legal expenses. ..	250	0-0.			
(4) Contingencies. ..	1000	0-0.	Net Capital Cost.	Rs. 19600	0-0.
T o t a l.	Rs. 39600	0-0.			

P.S.

Continued.)

How the net cost is proposed to be met.

Net cost - Rs. 19,600-0-0.

1.	Amount that may be appropriated from the balance under Land Development Fund - Capital. ..	N i l.
2.	Amount of average annual income from betterment under scheme.	Rs. 1,500/-.
3.	Amount of annual surplus in Land Development Fund - Ordinary.	N i l.
4.	Amount of additional loan which items 2 & 3 will finance.	No loan is proposed to be taken as the entire cost will be met from the surplus balance with the ---- Council. It is also --- proposed to request Government to give a grant as the purpose of the scheme is to clean up a highly insanitary area.
5.	Total items 1 and 4.	

P.S.

Town Planning overseer

Chairman

Guliga Hithlu Scheme.
****

Schedule III.

Lands proposed to be acquired by the Council.

Serial No.	Distinguishing letters.	Length.	Width.	Extent in Sq. Ft.	S.Nos. affected.	Extent in S. No. affected. acres.	cents.	Remarks.
1.	A. ✓	248.	12½	3124.	4.	..	7	
		68	10	680	5	..	1½	
		46	7	322	6	..	¾	
		20	4	80	8	..	1/5.	
		15	2	30	9	..	1/10.	
2.	B. ✓	290	16	4640.	8	..	11	
		165	16	2640.	4	..	6	
		53	16	848	5	..	2	
		15	16	240	6	..	½	
3.	C. ✓	418	10	4180	4	..	9½	
		63	10	630	3/B	..	1½	
4.	D.Average	222	88	19536	3/B	..	45	
5.	E. ✓	228	7	1596	3/B		3½	
		103	7	721	2		1¾	
6.	F.	86	63-5/2.	2924	4		7	
7.	G.	30	40	1200	9		2¾	
		45	4	180	8		½	
8.	H.	46	35	1610	6		3½	
		67	34	2278	5		5	
		155	35	5425	4		12½	
9.	I.	64	40	2560	4		6	
10.	J.	$\frac{45-15}{2}$.	42	1260	4		2¾	

1-30 3/10

P.S.

Town Planning Overseer

1.303
.145
.158

Secretary

Chairman
m.c.

Guliga Mithlu Scheme.
****

Schedule IV.

New Streets and Street widenings.

Serial No.	Distinguishing letters.	Length.	Width.	Extent in Sq.Ft.	S.No. affected.	Extent in S. No.affected. Acres.	Cents.	Remarks.
1.	A.	248	12½	3124	4.	- -	7	
		68	10	680	5	—	1 ½	
		46	7	322	6	—	¾	
		20	4	80	8	—	1/5-	
		15	2	30	9		1/10.	
2.	B.	290	16	4640	8		11	
		165	16	2640	4		6	
		53	16	848	5		2	
		15	16	240	6		½	
3.	C.	418⅞	10	4180	4		9 ½	
		63	10	630	3/B		1 ½	

48 3/20

Town Planning Overseer (Akabad)

Chairman
m.c.

Copy of letter No. 48/28, dated 9th January 1928 to the Chairman, Municipal Council, Mangalore.

Ref: this office No. 24/28, dated 6th January 1928.

In continuation of the above I have the honour to return herewith the draft schemes and plans of Block 10 Market Ward scheme and Gulika Hithlu area Improvement scheme.

With regard to the former I approve the layout plan submitted by you but the following alterations in the draft scheme may be effected

(i) Omit in clause (2) the definition of Arbitrator as that term does not occur anywhere in the scheme;

(ii) The sentence commencing with "in the area" in clause 12(c) may be treated as a separate sub clause and numbered as (d)

(iii) A new sub clause (e) specifying a definite building line may be added in clause 12 and it may run as below:

"(e) In the area, the building lines shall be placed at a distance of 10' from street alignment and in the space between Building line and street, no building of any character other than a compound wall shall be permitted"

clause (d) to be renumbered (f)

(iv) In clause 14 insert in the 1st sentence the words "by the council" between "made" and "within" and in the 2nd sentence the word " annually" between "payable" and "for"

After making the necessary alterations as noted above the scheme may be submitted to Government for sanction through the District Collector as per G.O. No.2286 P.H. dated 11th November 1925.

3. I approve also the alteration made in the improvement scheme plan. The scheme may be submitted to the Government requesting it to extend to the area the provisions of Section 23 to 26 and chapters v to vii of the Town Planning Act with necessary modifications as contemplated in Section 6 of the Act. In doing so you have to furnish to the Govt. a correct description of the area covered by the improvement

scheme.

After Government make a notification under Section 6 the final draft scheme incorporating in it provisions for betterment etc. may be prepared and submitted by the council to Government for sanction under the Act.

L. S. G. (P.H)

38/16/5

W.O. 7173 from the C.M.C. Mangalore No. C. 751-A-1/27-28 dt 14-2-28

7/12/16.5

16/5

Subject — Suliya Hilltop Improvement Scheme.

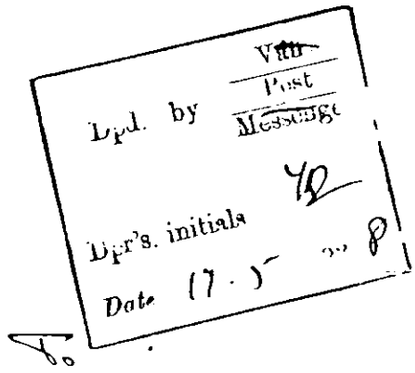
Memo No. 13116-1 D3 P.H/16-5-28

The net cost of the Scheme is estimated at Rs 19,000 and it is proposed to meet the entire cost partly from the balance under 'general funds' and partly from Provincial grants. The council is informed that no grants are admissible for town planning or town improvements schemes and that the entire cost should be met from the council's own funds.

2/ From the council's budget estimate for 1928-29 it is observed that — — The council has provided for a capital expenditure

of Rs 67,100 under the Town Planning Account. The chairman is requested to state whether this provision includes the sum of Rs 19,600 required for the scheme in question, and if not, how the cost will be met as there will be no sufficient balance under the general account which is expected to close on 31-3-1929 with a balance of Rs 2,702 only against the prescribed minimum balance of Rs 9,550.

11.5.28 11.5.28



To

The CME Mangalore
(Attn)

C.F. 30—10,000—31-1-27.

DEPARTMENT.

15

2336

Received 27 MAY 1928 192 . *Registered* 192 .

SECRETARY TO GOVT. LOCAL SELF GOVT. MADRAS

Subject.

Submitting reply to Government Memorandum No.13116-1-D3 P.H./16-5-1928.

ENCLOSURES.
No. nil
Spare copies

C. No. 751-B4

Station Mangalore, *Dated the* 23rd May 1928.

From (Name) M.R.Ry. Rao Sahib Nellikai Venkat Rao, Avl.,

(Designation) Chairman, Municipal Council, Mangalore.

To The Secretary to the Government of Madras,

Local Self Government Department.

Sir,

Referring to Government Memorandum No.13116-1-D3 P.H. dated 16th May 1928, I have the honour to state that the provision of Rs.67,100 under the Town Planning includes the sum of Rs.19,600 required for the Guliga Hithlu improvement scheme.

Your obedient servant,

Chairman, M. C.

P.S.

C.F. 80.

LOCAL SELF GOVERNMENT **DEPARTMENT.**

16

Received ..... 192 . *Registered* ..... 192 .

Subject. 22503

Guliga Hithlu Town Improvement Scheme, Mangalore.

ENCLOSURES.
No .....
.....
Spare copies .....

D.T.P. No. 825/28.

Station Madras , *Dated the* 28th May 192 8.

From (Name) R.Dann Esq.,M.T.P.I.,

(Designation) Director of Town Planning,Madras

To The Secretary to the Government of Madras,

Local Self Government Department.

Sir,

In continuation of this office endorsement No.D.T.P.603/28, dated 12th April 1928 I have the honour to enclose herewith a copy of letter from the Ch. Supt. el. Mangalore, Dt 12th May 1928 and copies of revised schedules II, III & IV and Map & C, and to request Government, to include these in the places of the schedules II, III & IV and map already submitted to Government with the scheme, and to issue a Notification under Section 6 of the Town Planning Act in respect of the scheme at an early date.

placed below

I have the honour to be,
Sir,
Your most obedient servant,

R.Dann.

Director.

GULIGA HITHLU SCHEME.

Schedule No. I.

Ownership & extent of land.

S. No.	Ward No.	Block No.	Town Survey No.	Sun Divn. No.	Extent. Acres.	Sq.ft.	Name of owner.	Remarks
1.	V.	1.	1.			4350.	Government.	Road.
2.			2.	A.		7405.	Simon Alvares.	
3.			3.	A.		24829.	Proustin Saldanha.	
4.			3.	B.		20038.	Anna Brito.	
5.			4.	1.		37659.	D. Seregara.	
6.			4.	2.		674.	Sayyed Mohamad Saheb.	
7.			5.			3920.	Pandi Shiva Rao(M)Babu.	
8.			6.			1742.	Guruvappa Moili (M) Maire.	
9.			7.			2178.	,, (M)Aithu.	
10.			8.	A1A.		17642.	Guruvappa Moili.	
11.			8.	A2.		2614.	Bhavani Shanker Rao.	
12.			8.	A1/B.		654. 436.	A. J. Lobo.	
13.			8.	A1/C.		[illegible].	Krishnappa.A.J.Lobo.	
14.			8.	B.		6098.	Krishnappa.	
15.			8.	C.		3049.	Pandit Shiva Rao (M)Babu.	
16.			9.			1307.	Bhavani Shanker Rao.	
17.			10.	..		41382.	Subbanna Shastry(M) Pandit Raghunatha Rao & others	
18.			21.	A1.	5.	28097.	A. J. Lobo.	Part.
19.				B.		218.	Guruvappa Moili.	
20.		2.	33.			10454.	Manjunathayya.	
21.			31.			1742.	The Manager for the time being for the New church.	
22.			30.			13939.	- Do -	
23.			35.	2.		15246.	Milagri Church (M) Koraga & 4 others.	
24.			29.			15682.	Government. ..	Road.
25.			32.			11761.	- do -	Road.
26.	4.	12.	224.			19167.	- do -	Road.
27.			216.			37026.	Manjeshwar Shanker Rao.	
28.			217.		1.	16988.	Ullal Sanjiva Rao.	Part.
29.			223.			13504.	Thyampa.	

16 (4)

S. No.	Ward No.	Block No.	Town Survey No.	Sun Divn. No.	Extent. Acres.	Sq.ft.	Name of owner.	Remarks.
Continued.								
30.	IV.	12	217.	2.	2.	..	Manager, Ganapathi High School	Part.
31.			221.			30056.	- Do -	Part.
32.			222.			5227.	Juvana Francis Deog (M)George & James Herbert.	
33.		11.	200.			38333.	Sri Venkatramana God. (M) Subbu female.	Part.
34.			199.			29621.	Jarappa.	Part.

P.S.

Municipal office, Mangalore, 19-6-'29

Vice-Chairman, M.C.

17

GULIGA HITHLU SCHEME.

Schedule II.

Estimate of the net cost of the scheme.

D E B I T S	Rs. A.P.	C R E D I T S.	Rs. A.P.
1. Acquisition of lands, buildings, &c.		1. Government grants.	
(1) For roads & lanes. ..	13456-0-0.	2. Contribution from	
(2) For other purposes.	14274-0-0.	a) Govt.Departments.	
2. Improvements.		b) Other local authorities.	
1) Raising level.	500-0-0.	3. Sale proceeds of sites and buildings.	15000-0-0.
2) Forming roads.	500-0-0.		
3) Culverts.	2000-0-0.		
4) Drains.	2000-0-0.		
5) Lighting.		4. Amounts debitable to	
6) Water supply.		a) The Elementary Education Fund of the municipality.	
7) Latrines.			
8) Schools.			
9) Markets.		b) The water supply & drainage fund.	
10) Other works.	1000-0-0.		
3. Compensation for injurious affections. ..	500-0-0.	c) The Remunerative enterprises Fund.	
4. Miscelleneous			
1) Cost of preparation of scheme including special surveys. ..	200-0-0.	5. Other items. ..	2000-0-0.
2) Cost of arbitration.	300-0-0.		
3) Legal expenses.	200-0-0.	T o t a l	17000-0-0.
4) Contingencies.	1070-0-0.		
Total. Rs.	36000-0-0.	Net Capital cost. Rs.	19000-0-0.

Chairman, Municipal Council.

P.S.

GULIGA HITHLU SCHEME.

Schedule III.

Lands proposed to be acquired by the Council.

Serial No.	Distinguishing letters.	Length.	Width.	Extent in Sq.ft.	S.Nos. affected.	Extent in S.Nos. affected. Acres.	Cents.	Remarks.
1.	A.	420.	15.	6300.	9.6.5.4.	..	15.	For road widening
2.	B.	360.	15.	5400.	6.5.8.3/B	..	12.	For road.
3.	3/B	180.	15.	2700.	3/B	..	6.	Do.
4.	C.	280.	15.	4200.	4.	..	10.	Do.
5.	D.	100.	15.	1500.	4 & 3/B.	..	4.	Do.
							47 cents.	
6.	E.	95.	40.	3800.	9 & 6.	..	9.	For shops.
7.	F.	215.	40.	8600.	5 & 4.	..	20.	Do.
8.	G.	110.	40.	4400.	3/B.	..	10.	Do.
9.	H.	86.	70.	6020.	3/B.	..	14.	Do.
10.	K.	75.	50.	3750.	4.	..	9.	Open space or reserved.
11.	L.	90.	35.	3150.	3/B.	..	7.	- Do - bus stands.
							69 cents.	

P.S.

Chairman, Municipal Council.

GULIGA HITHLU SCHEME.

Schedule IV.

New Streets and Street widenings.

Serial No.	Distinguishing letters.	Length.	Width.	Extent in Sq.ft.	S.Nos. affected.	Extent in S.Nos. affected. Acres.	Cents.	Remarks.
1.	A.	420.	15.	6300.	9.6.5.4.	..	15.	For road widening.
2.	B.	360.	15.	5400.	6.5.3.3/B	..	12.	For road.
3.	3/B	180.	15.	2700.	3/B	..	6.	Do.
4.	C.	280.	15.	4200.	4.	..	10.	Do.
5.	D.	100.	15.	1500.	4 & 3/B.	..	4.	Do.
							47 cents.	

Chairman, Municipal Council.

P.S.

L.S. C(P.W.)

No 22-330 from the C.M.C. Mangalore
C. No. 751-A-1
dt 23-5-28

23/5/28

Subject — Jeliga Estate.
Town improvement scheme.

Memo. No. 22330 — 1 D3 P.W.
25-6-28

The remarks of the D.T.P. in his Engl. No. 603/2P dt 12-4-1928 are communicated to the Mangalore municipal council for information. The municipal council is requested to obtain the written consent of the owners concerned to the effect that they have no objection to the application of the provisions of the Madras Town Planning Act, 1920, to the area in question for the purposes of a town improvement scheme in respect thereof

21

the Govt.
and report/ The favour
favour - that it has done so.

2. The Council is also
requested to state whether
it has any objection to
the addition to the draft scheme
suggested by the Director.

19-6-28

Sec.
19.6.28

To

The C.M.C. Mangalore
(with copy of D.T.P's memo No 3-4 etc.)
copy to D.T.P.

21/6

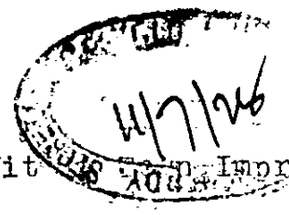
26/6/28

C.F. 60.

LOCAL SELF GOVERNMENT **DEPARTMENT.**

22

Received ..... 192 . *Registered* ..... 192 .



Subject. 29331

Guliga Hit[illegible] Improvement Scheme, Mangalore.

ENCLOSURES.
No .....
.....
Spare copies .....

D.T.P. No. 1100/28.

Station Madras , *Dated the* 10th July 1928.

From (Name) R.Dann Esq., M.T.P.I.,

(Designation) Director of Town Planning, Madras.

To The Secretary to the Government of Madras,

Local Self Government Department.

Sir,

1207

Ref: Memo No.22330-1 D.3 P.H. dated 25th June 1928.

From the wording of the above Memorandum I gather there has been a misunderstanding of the situation and the intentions of the Town Planning Act.

The Memo. asks the Municipal Council to do the impossible. No council would be able to carry out such an instruction which is, in fact, asking the owners to agree to a special assessment.

The Memo. should follow Section 6(2) of the Town Planning Act. The onus of making the enquiry is thrown on the Government and not on the council. Presumably this may be done through the Chairman and he may be asked to notify the owners of the intention of the

Ann 11/7

Council to carry out a Town Improvement scheme in the area and give them say 30 days to communicate in writing any reason they may have why the notification under Section 6(1) should not be issued. Otherwise the enquiry may be made through the Collector.

I have the honour to be,
Sir,
Your most obedient servant,

Ronsinhaw 10/7/26.
for Director.

L. S. & (P.H.)

con- 29331 from The D. T. P. No. 1100/28
Dt 10-7-1928

Subject:- Guliga Hithalu Town Improvement Scheme, Mangalore

Memo. No. 29331-1 D3 PH
1-8-28

In continuation of memorandum No. 22330-1 D3 P.H Dt 25-6-1928 The Com.e Mangalore is informed That, if it is found inconvenient or impossible to get The written consent of The owners concerned ~~to the proposed~~ as required in That memo, ~~mentioned~~ above it will be sufficient to notify the owners of The intention of The council to carry out a Town Improvement Scheme in respect of the area and give them 30 days time to communicate in writing any objections or suggestio

25

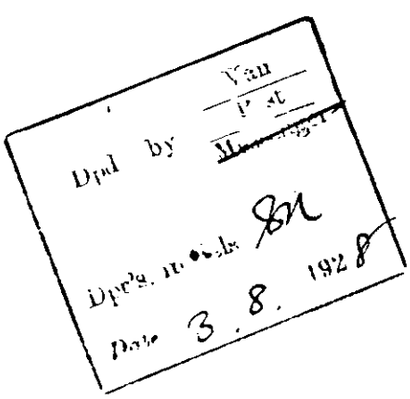
They may have to the issue of a notification under section 6.(1) of the T. P. Act, 1920, The objections or suggestion received from the owners should be forwarded to the Govt.

30-7-28 Ele
31.7.28

Mp

To

The Collr Mangalore
copy to D. T. P.



26

L.S.8(P.H)

5/19-11 sd an 9/14

Copied 19/11

Memo 29331-2 P3 P.H, dt 16/21-11-28

Gubbi Hitherlu Improvement Scheme - Mangalore R-e

1. dt 1-8-28

The attention of the C.R.C. Mangalore is invited to Govt. Memo. No. 29331-1 D13 P.H, dt 1-8-28 (pp 24-25 of) and he is requested to state at once when the reply thereto may be expected by this Govt.

ACR 15/11 15-11-28

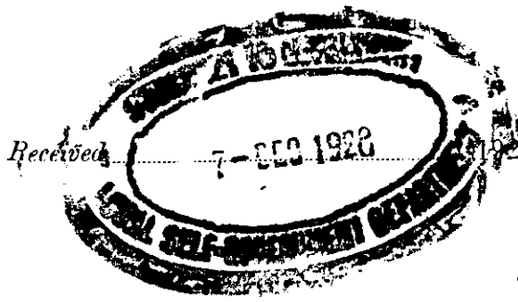
16/11

Van / Post / Messenger
Dpd. by
Dpr's. initials. BK
Date 25/11/1928.

To the C.R.C. Mangalore (2nd)

C.F. 30—10,000—31-1-27.

DEPARTMENT.



Received 7-DEC 1928 192 . *Registered* 52142 192 .

Subject.

Town-planning - Guliga Hithulu Improvement Scheme - Mangalore Municipality - report submitted.

****

ENCLOSURES.
No. Two + seven petitions
Spare copies — .....

C. No. 696-2
2829.

Station Mangalore, *Dated the* 3rd December 1928.

From (Name) M.R.Ry Rao Saheb Kellikai Venkat Rao, Aveigal.,
(Designation) Chairman, Municipal Council, Mangalore.

To The Secretary to the Government of Madras,
LOCAL-SELF GOVERNMENT Department.

Sir,

With reference to Government Memorandum No.29331-1 D3 P.H., dated 1-8-1928, I have the honour to state that a notice in English was published in the local Vernacular paper ---- Kanteerava on 21-8-1928. Copies of the notice both in English and Kanarese (copies enclosed) were served on the owners of --- the land concerned and seven petitions received in response --- to the said notice are enclosed.

Your obedient servant,

Chairman, M. C.

M.D.U.3/12.

3/12/28

MUNICIPALITY OF MANGALORE

NOTIFICATION

The Muncipal Council, Mangalore, proposes to undertake, in virtue of its powers under the Madras District Municipalities Act, 1920, a scheme of town improvement in respect of the area known as Guiga Hithlu consisting of the Survey fields mentioned below and an application has been made to Government under section 6 of the Madras Town-Planning Act, 1920, for the issue of a notification applying to the said area with necessary modifications sections 23 to 25 and Chapters V and VII of the Madras Town Planning Act for the purposes of the said improvement scheme. As ordered by Government in their Memorandum dated 1st August 1928, the Chairman, Mangalore Municipal Council, hereby gives notice to the owners of buildings and lands in the said area, to communicate in writing to him, within thirty days from the date of service or publication of this notice, any objections or suggestions they may have to the issue of the notification under section 6 (1) of the Town Planning Act. 1920.

The scheme consists of the following area:

Revenue Survey No. 155, 154, 414, 413 C & B, 412, 411, 410A/1, A1/B, A1/C, A1/A, 409 corresponding to Town Survey Nos. 2, 3, 4/1 & 2, 5, 6, 7,8& 9 of Court Ward (No. V) of the Mangalore Municipality.

Municipal Office,
Mangalore,
14—8—1928.

Nellikai Venkat Rao,
Chairman, M. C.

మంగళగిరి మునిసిపాలిటీ
పై వ్యవహారం.

1928 సంవత్సరపు డిస్ట్రిక్ట్ మునిసిపాలిటీ అధికారమును సారవాహి A, మంగళగిరి మునిసిపాలిటీకి స్టాండింగ్ ఆర్డర్ నెం. 6 గా నమోదు చేసిన సవరణ స్టాండింగ్ ఆర్డర్ నెం. 6 ను ఉపసంహరించుకొనుచు, ఆ స్టాండింగ్ ఆర్డర్ నెం. 6 కు బదులుగా క్రొత్తగా స్టాండింగ్ ఆర్డర్ నెం. 6 ను ఏర్పరచుచు, ఆ స్టాండింగ్ ఆర్డర్ నెం. 6 ను ఈ క్రింది విధముగా సవరించుచు ఉత్తర్వులు ఇవ్వబడినవి.

సవరణ స్టాండింగ్ ఆర్డర్ నెం. 6

1. ఈ స్టాండింగ్ ఆర్డర్ నెం. 6 ను మంగళగిరి మునిసిపాలిటీ స్టాండింగ్ ఆర్డర్ నెం. 6 (సవరణ) అని పిలువవచ్చును.

2. ఈ స్టాండింగ్ ఆర్డర్ నెం. 6 ను 1-8-1928 వ తేదీ నుండి అమలులోనికి వచ్చును.

3. మంగళగిరి మునిసిపాలిటీ స్టాండింగ్ ఆర్డర్ నెం. 6 లోని 1 వ పేరా లోని మొదటి వాక్యమును ఈ క్రింది విధముగా మార్చుచు ఉత్తర్వులు ఇవ్వబడినవి.

పేరా 1 :- 1928 సంవత్సరపు డిస్ట్రిక్ట్ మునిసిపాలిటీస్ యాక్టు 6 వ సెక్షన్ ప్రకారము ఈ క్రింది వ్యక్తులను ఒక వార్డు నుండి ఒక్కొక్క సభ్యుని చొప్పున ఎన్నుకొనుటకు ఈ మునిసిపాలిటీ ఏడు వార్డులుగా విభజింపబడినది.

4. మంగళగిరి మునిసిపాలిటీ స్టాండింగ్ ఆర్డర్ నెం. 6 లోని 2 వ పేరా లోని 1 వ వార్డు లోని ఓటర్ల పేర్లను ఈ క్రింది విధముగా మార్చుచు ఉత్తర్వులు ఇవ్వబడినవి.

1 వ వార్డు ఓటర్ల పేర్లు :- 153, 154, 414, 413 (a) మరియు (b), 411, 411, 410 A, A1, A1, A1, 409, సవరణ స్టాండింగ్ ఆర్డర్ నెం. 6 ద్వారా మంగళగిరి మునిసిపాలిటీ స్టాండింగ్ ఆర్డర్ నెం. 6 కు కొత్తగా చేర్చబడిన షెడ్యూల్ నెం. 2, పేరా 4, ఉప పేరా 6, 7, 8, మరియు 9

మునిసిపల్ ఛైర్మన్
మంగళగిరి
తేదీ 14-8-1928

N. Venkat Rao

జిల్లా మేజిస్ట్రేట్.

Petition box
DR
1/11/28

OFFICE OF THE MUNICIPAL COUNCIL MANGALORE
NOV 1 1928

30 Mangalore.
30th Oct. 1928

To,
The Chairman
Municipal Council
Mangalore.

Sir,

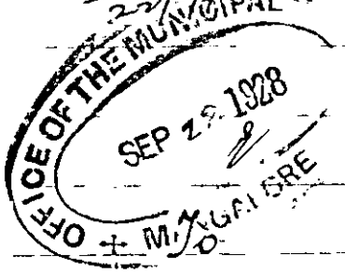
Referring to your notification dated 14-8-1928 and in continuation of my nephew's interim reply dated 25-9-28, I beg to state that there is no objection to part with the property (S. no 3 of Court ward) provided the price offered by the Claimants is awarded.

Yours faithfully.

Motisham Hassan Sahib
S/o Haji Hussain Sahib
Cloth Bazar, Mangalore.

By Registered Post

Ladha Keshav Building
Wireless Station Road
Santa Cruz,
Bombay,
18. 9. 28.



The Chairman,
Municipal Council,
Mangalore

Petitioner
Mrs. M. Sahadevi Suvarna
Ladha Keshav Building
Wireless Station Road
Santa Cruz,
Bombay

Sir,

(1) The petitioner above named begs to state as follows, that she learns that the Guliga Hithlu in Mangalore town is going to be acquired by the Municipality, and the notices have been issued to the persons having a right over the same.

(2) That in the said plot there is a Mulgni plot and house standing thereon — Fifth Ward T.S no 6-1- belonging to my mother's mother Maire Hengsu, after whose death it was in the possession of my junior uncle H. Somappa and when he died my Senior uncle Krishnappa got possession of the same as Yajaman of our family which consists of:—

(1). The aforesaid Krishnappa residing near

Urva Church, Mangalore town.

(2) My youngest sister, Venkamma residing at Madras.

(3) My youngest sister, Chandravathi, residing at Mangalore.

(4) Myself.

(5) My brother Padmappa residing at Mangalore.

3. All the above-said persons are entitled to the said property, being members of a family governed by the Aliya Santana Law. Our Senior uncle Krishnappa has been away from the family house and it was the junior uncle H. Somappa alone who was in occupation of the same till his death; after which the aforesaid has been getting the income thereof for the last four or five years. We have been brought up by our father, Buggunna Gunkar and educated by him at a cost of two or three thousand rupees each. I am the eldest daughter of my father. I have studied up to the Intermediate. My younger sister Venkamma has studied up to the same class and my youngest sister Chandravathi is reading in the B.A class. I am married and I am living with my husband in Bombay. Our father has married again after my mother's death and has six children by his second wife. I therefore pray that the amount that would be paid for the said house to which we have a right should not be paid to the aforesaid Krishnappa alone, but may be distributed among all the persons entitled

and the amount which falls to my share may be sent to me directly to the address I have given above.

Yours most obediently

Mrs. M. Sahadevi Suvarna

Petitioner

384

The Chairman,

Municipal Council, Mangalore.

Ganigathy Yelliappa, residing in Guilge Hithlu, Mangalore Town.) Petitioner.

Petitioner most respectfully begs to submit the following in view of the notification published by your honour regarding the extension of Town Planning Act to the area in Court Ward known as Guliga Hithlu.

I am one of the residents of the said Guliga Hithlu where I own a house and a bath room constructed by myself. The house has cost me Rs. 800/- and the bath room about Rs. 30/-.

I have no other properties in Mangalore Town should the extension of the act necessitate the pulling down of my house, I will be put to very great inconvenience. I have been living there now for about 15 years.

Under these circumstances, I submit in the event of the Town Planning Act being extended to Guliga Hithlu adequate provision may be made to make good the loss we are likely to suffer.

Mangalore, .
Dated 11th Septr. 1928.

OK
18/9/28

35

From
Pandit Shivadas Nayak
Court Road, Mangalore.

OFFICE OF THE MUNICIPAL COUNCIL
SEP 13 1928
MANGALORE

The Chairman, Mangalore Municipality

Sir,

In respect of notification of the Municipal Council dated 14.8.1928 in regard to improving Guliga Hithlu, I beg to represent as follows:-

1. I am the owner (of) in the said area of Town Survey Number 8B, and have also mulki rights i.e right to re-cover mulgeni rent of Rs 15 and 20 from my mulgeni tenants of plots 8C and 5 respectively.

2. From the proposed plan, I see that a road is to be taken from the Court Road ^(towards)^ the east alongside of the northern boundaries of plots 5 and 8C, and then it cuts almost midway through the plot 8B, dividing the same into two portions.

3. I suggest that the said road may be taken along the northern boundary of my plot 8B, and not as proposed through almost the middle, which thereby divides my plot into two small halves, none of which can by itself be of profitable use.

4. In case the road is necessarily to be taken through almost the middle of my plot 8B, I request that the whole plot which is only 14 cents ^(6098 sq.ft)^ in extent with its buildings be acquired wholly, as otherwise the two portions divided by the road are rendered impossible of use, and ^(disproportionately)^ diminish in value.

5. I suggest also that the plots (to the north and south of my plot 8B) which contain small conjested houses may also be acquired, as otherwise the very purpose of the scheme fails.

6. I request that the Land Acquisition Act only, which has been serving public purposes of acquisition well

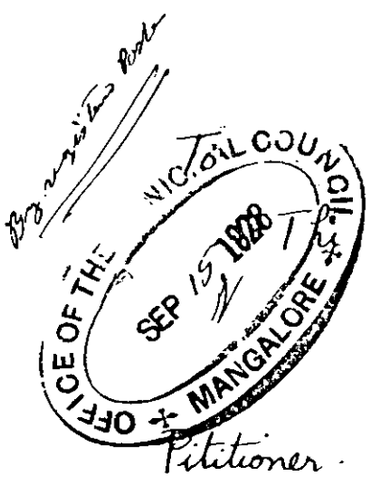
well enough so far, may be abolished, and not new and complicated Acts.

7. My prayer and suggestions may kindly be placed before the Council, and other responsible authorities.

I remain
Sir
Your most obedient servant
Pandithiraja
13.9.1928.

Mangalore
13 Sept 1928

13th Sept. 1928



37

To
The Chairman, Municipal Council,
Mangalore.

Petitioner.

H. Venkamma, daughter of Bagganna Gurikar,
Basavana Gudi Street, Mangalore,
Residing at no 20, Nallanna
Mudali Street, Royapettah
Madras.

The Petitioner abovenamed begs to state as follows:

1. That she learns that the Gubiga Hittalu in Mangalore Town is going to be acquired by the Municipality, and that notices have been issued to the persons having right over the same.

2. That in the said plot - there is a mulgini plot and house standing thereon - Hiftward T.S. no 6-1, - belonging to my mother's mother Maire Hengsu after whose death it was in the possession of my junior uncle H. Somappa; and when he died, my senior uncle Krishnappa got possession of the same as Ejaman of our family which consists of:-

(1) The aforesaid Krishnappa, near Urwa Church Mangalore Town.

(2) My eldest sister Sahadevi, wife of Mr. Appaji Suvarna, residing at Ladh Keshav Bldg. Wireless Station Road Santa Cruz, Bombay.

(3) Myself
(4) My youngest sister Chandravathi residing at
Basavana Gudi Street,
Mangalore Town.
(5) My brother Padmappa, residing in Mangalore Town
all the above said are entitled to the said property being members of a family governed by Aliya Santana Law.

Our senior uncle Krishnappa has been away from the family house and it was the junior uncle H. Somappa alone, who was in occupation of the time till his death, after which the aforesaid has been getting the income thereof for the last 4 or 5 years. We have been brought up by our father Baggana Gurikar and educated by him at a cost of about two or three thousand Rupees each. I am teaching in the Govt. Hobart Lee & Training School, Royapettah, Madras

Our father has married again after our mother's death and has six children by his second wife. It is therefore necessary that the amount that would be paid for the said house to which we have a right, should not be paid to the aforesaid Krishnappa alone, but should be deposited in the bank in the name of our family to be drawn by us all for the purpose of having a fresh family house.

I therefore pray that the aforesaid suggestion may be taken into consideration and acted upon in the interests of the family

I beg to remain,
yours faithfully.
H. Venkamma.

Petition book
5/9/28

51

The Chairman,

Municipal Council,

Mangalore.

Humble petition of
M. Krishnappa, residing in
Guliga Hithalu, Hampankatta
Mangalore.

Respected Sir,

With reference to the notice published by the Municipal Council, Mangalore, intimating that the Council proposes to undertake a scheme of Town improvement in respect of the area known as Guliga Hithalu and calling for objection and suggestions, I most respectfully beg leave to submit the following.

I am one of the occupants of Guliga Hithalu for many years under the perpetual mulageni lease.

I own two buildings in the Compound T.S. No.6-1 of V Ward.

One of the buildings cost about Rs.3000/- and the other about Rs.250/-. Besides these I am entitled for the value of other improvements including a Palmyra tree which is valued at about Rs.20/-

As a Mulageni tenant of many years standing I am also entitled to a third of the site value.

I have no other property in Mangalore nor have I any other house where I could live. The scheme which involves probably ejecting the occupants will

surely put us to very great inconvenience and loss.

I pray all these facts may be taken into consideration.

I beg to remain,

S i r,

Your most obedient servant,

Mangalore, (
) 3rd Sepr'28 (

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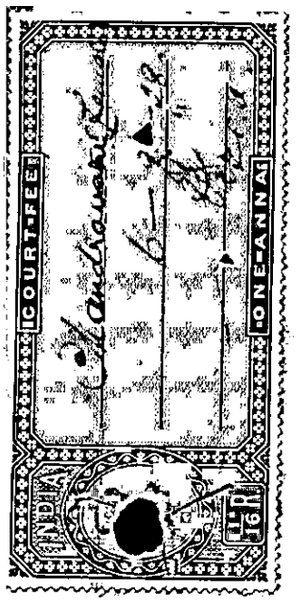


Mangalore
6th Sept 1928.

To,

41

The Chairman, Municipal Council
Mangalore.

Petitioner

M. Chandravathi, daughter of Bagganna Gunkar
Baravanagudi Street, Mangalore.

The petitioner above-named begs to state as follows.

1. That she learns that the Gulige Kittel in Mangalore Town is going to be acquired by the Municipality and that notices have been issued to the persons having right over the same.

2. That in the said plot - there is a mulgeni plot and house standing thereon:—

Fifth Ward - T.S. No 6-1

belonging to my mother's mother maire Hengasu, after whose death, it was in the possession of my Junior uncle H. Somappa; and when he died, my Senior uncle Krishnappa got possession of the same as Yajaman of our family, which consists of:-

1) The aforesaid Krishnappa, residing near Urva Chunchi Mangalore Town.

2) My eldest Sister Sahadevi, wife, of Mr. Appaji Sunsama residing at - Ladha Keshav Bldg,
Wireless Station Road,
Santa Cruz,
Bombay.

C No. 52142, From the C.M.C. Mangalore, No. 696, dt 3/xii

Memo No. 3562-TD3-Pti, dt 12/25

Subject: The Suliga-Thimlu Town Improvement Scheme

The D.T.P. has proposed that such as much as the Mangalore M.C. anticipates an annual betterment value of Rs. 1500 from the lands which will be benefited by the Scheme, all lands lying within the red boundary line shown (Copies enclosed) in Maps C and C1 should be included in the Scheme. The Survey Nos. that will have to be included in addition to those specified by the chairman in his letter No. 751-A1, dt 14.2.28 are shown in the margin. The C.M.C Mangalore is requested to notify to the owners of the above lands the intention of the Council to carry out a Town Improvement Sche

pp 1-2 of

List of S. Nos

S. Nos. 199 (part) 200 (part) 221 (part) 222, 217 (part) 223, 216 and 224 of Ward No. 4 and S. Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 21 (part) 29, 30, 31, 32, 33 and 35 of Ward No. 5.

in respect of this area also and give them 30 days time to communicate in writing any objections or suggestions they may have to the issue of a notification under Sec 6(1) of the T.P. Act, 1920. The objections or suggestions, if any received, ~~may~~ should be forwarded to the Govt. with his remarks as early as possible. He is also requested to submit revised Schedules I to the scheme showing all lands to be included in the area of the Town Improvement Scheme.

14/2

14.2.29

Dpd. by ~~Messenger~~ Post

Dpr's. initials.

Date 15/2/ 1929.

Regd & Ack

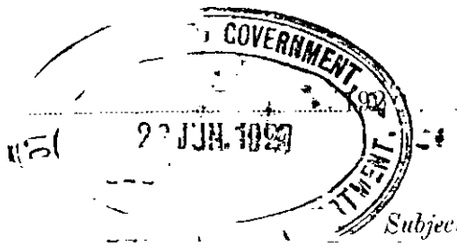
To the C.M.O Nanjanad

with copies of Maps C & E, ~~for~~ ~~personal~~ ~~and~~ ~~returned~~ ~~to the~~ ~~reply~~

D3

C.F. 30—10,000—31-1-27.

DEPARTMENT.



Received ..... 192 *Registered* 192

Subject. 23304

-The Guliga Hithlu Town improvement scheme.

****

ENCLOSURES.
No. Two.
.....
Spare copies .....

C. No. 97-B/1930.

Station Mangalore *Dated the* 19th June 1929.

From (Name) M.R.Ry. K. Vittal Shetty, Avergal.,

(Designation) Vice-Chairman, in charge, under Sec.18.

To The Secretary to the Government of Madras,

Local Self Government Department.

Fort St. George,
Madras.

Sir,

Referring to Government Memorandum No.3962-1D-3, P.H. dated 15th February 1929, I have the honour to report that - as directed therein it was notified to the owners of lands - referred to, the intention of the council to carry out a --- Town Improvement Scheme in respect of the area. The only -- objection received is from the owner of T.S.Nos.217 and 221 and the same is enclosed. The ~~areas~~ said plots have been --- included in the scheme area as directed by Government in the

memorandum

memorandum referred to above with a view to betterment levy and they also form part of a whole ~~scheme~~ slum area--- proposed to be improved by the scheme. A revised ---- schedule to the scheme showing the lands to be included in the area of the Town Improvement scheme is also --- enclosed.

Your obedient servant,

Vice-Chairman, M. C.

H.

Ganapathy High School,
MANGALORE

O.C.No. 80-G.C/28-29.

Dated 26th May, 1929.

OFFICE OF THE MUNICIPAL COUNCIL MANGALORE
1-6-1929

FROM

M. R. Ry. Ullal Rama Rau Avergal, B.A., B.L., Avgl.
Correspondent, Ganapathy High School,
Mangalore.

To

The Chairman,
Municipal Council,
Mangalore.

Dear Sir,

With reference to the Notification by the Mangalore Municipality dated 9-4-1929 proposing to include certain plots mentioned therein under the Town Planning Scheme in respect of an area known as 'Guliga Bithlu', and inviting objections thereto, I on behalf of the Ganapathy High School, Mangalore, beg to state the following objections to the proposed inclusion.

1. Among the plots proposed to be included, Town Survey Nos. 217 and 221 are portions wherein the school buildings and its other appertences are situate. Town Survey No. 217 is the school compound with the school buildings; Town Survey No. 221 is the portion where the Hostel Building is situated. The whole of the school buildings and its sites aforesaid over an area of about 2 (two) acres.

2. The said Survey Nos. 217 & 221 lie to the east of the Ganapathy Temple Street and comprise a public institution and does not consist of small holdings. Hence it cannot be said to be a congested "slum area" to which the provisions of the Act need be applied.

3. On the contrary, the management has determined to make extensions of the school compound and with a view to obtain a play-ground for want of which the school has been suffering, has applied to the Collector through the Educational Authorities for the acquisition of the adjoining Town Survey Nos. 200, 203 and 204 on 30-1-1929. By the said acquisition, any congestion

P.T.O.

by reason of the existence of the arrack shop on Town Survey No.200 will be greatly relieved and the small holdings on Town Survey Nos. 203 and 204 will also disappear.

4. The situation of the school and its buildings together with its Hostel and play-ground (if the adjoining portion is acquired,) can in no way be said to be detrimental to the health of the 'Guliga Bithlu' area and any scheme need not be extended so far.

5. . If however, the authorities of the Ganapathy High School do not succedd in acquiring the Town Survey Nos. 200, 203 and 204, then it is suggested that the said Survey Nos. may be included in the Town Planning Scheme and acquired by the Municipality and kept open for the said school play-ground purposes.

I have the honour to be,

Dear Sir,

Your most obedient servant,

Correspondent.

Guliga Hithulu Improvement Scheme

Name [redacted] the owner	Nature of objn if any	Request
1) Motisham [redacted] ssam Sahib - p 30 c.b	Nil	Price offered by the claimants should be given.
2) Mrs. M. Sahadevi Amma pp 31-33 c.b	Nil	Price of the building should be distributed among the legitimate claimants.
3) Ganigathy Yelliappa. p 34 c.b	Nil	Loss may be made good.
4) Pandit Shiva Rao pp 35-36 c.b	Nil.	Suggests certain alterations in the Scheme and applin. of the Land Acqn. Act.
5) M. Venkamma. pp 37-38 c.b	Nil.	Price of the building should be distributed among the legitimate claimants
6) M. Krishnappa pp 39-40 c.b	Objects to the inclusion of his properties on the ground that he has no other house to live in if evicted and furnishes details of value of the properties for compensation	
7) M. Chadavathi. pp 41-42 c.b (not signed)	Nil	Price of the building should be distributed among the legitimate claimants

5 2

7173/28 L. S. G (P-L

Subject – Ejuliga Hittalu town improvement scheme – Mangalore municipality.

For a history of the scheme please see pages 4, 16 & 20 of Go. No. 1252-9-P-H, dt 22-7-1926.

An improvement scheme is necessary for the area from a sanitary point of view. The collector also states that the area required redoubling. No govt land is included in the scheme – page 6 of.

2. The financial aspect of the scheme will be found on pages 7-8 of. The net cost is estimated at Rs 19,600. No loan is proposed to be taken and the entire cost is to be met from the surplus balance with the council (apparently from the general funds as no amount is to be met from the land development fund. – page 8 of.). An annual income of Rs 1,500 is expected by way of betterment contribution. It is also proposed

to ask you for a grant as the scheme is a sanitary one. As no grants are admissible for town improvement schemes and as the income from betterment contributions cannot be definitely relied upon the ~~cost~~ cost will have to be met from the general funds.

3. The chairman reports that the D.T.P. has approved the scheme in his letter No. 4-8/1928 B 9-1-1928. Copy of this letter has not been furnished by the chairman. The D.T.P. may be requested to furnish a copy of the letter referred to and offer his remarks on the ~~proposals~~ scheme now put before the Chairman.

14.3.28 Sd. 19.3.28

20.3.28

D.T.P

7173-1 D3 P.H

20-3-28.

54

TOWN PLANNING DEPARTMENT.

Subject:- Improvement scheme, Mangalore - Guliga Hithlu area - For application of Section 6.

A copy of this office letter No.48/28 dated 9th January 1928 is herewith sent to Government as requested in the note.

2. With regard to the improvement scheme it may be said that the scheme proposed is for an insanitary area within the Mangalore Municipality which is already built upon and that it will "specially benefit the owners of buildings and land in such area" by removal of insanitary conditions, widening roads and improvement of property. Government should therefore under Section 6 of the Town Planning Act notify in the Fort St.George Gazette that the provisions under Sections 23 to 26 and chapters V and VII of the Town Planning Act shall apply to the area for the improvement scheme (described in Chairman's letter dated 14-2-28) subject to the following which shall also be included in the draft scheme of the council.

(a) The Council shall submit to the arbitrator its claims for betterment contribution in the prescribed manner within six months of the date of publication of notification of the scheme by Government under Section 6 of the Act. The annual contribution shall be leviable at a uniform percentage not - - exceeding 10 for a period of 15 years;

(b) The Council reserves to itself the right to forego betterment in whole or in part where an owner has left land freely for roads etc. in accordance with the scheme;

In applying to such area provisions of sections 23,24,28,34 & 35 the date of publication of the notification under Section 6(1) shall be taken as the date referred to in Section 23,24(a) & (b),28(d),34 & 35(2)(a) and (3)(d) & (f);

15 (3) Claims for compensation shall be made in accordance with the procedure prescribed under Rules G.O. No.1391 P.H. dated 20th August 1923 within six months from the date of publication of the scheme under Section 6 of the Act;

16 (4) Any land in the area required for roads for housing or for public purposes may be acquired by the Council by purchase, exchange or otherwise subject to the provisions of the Act. The notification of this scheme under Section 6(1) of the Act shall in respect of any land mentioned in schedule III operate as a declaration under Section 6 of the Land Acquisition Act 1894 for acquisition for the purposes of the scheme;

17 (5) Lands included in Schedule III shall be treated as lands reserved under Section 4(k) of the Act;

18 (6) Any proposal for reconstitution of lands or plots in the area shall be made in accordance with rule 2 Part E of G.O. No.1391 P.H. dated 20th August 1923 within such period as may be notified by the Arbitrator on the Notice Board of the Municipal Office;

19 (7) Factories or workshops in which steam, water, mechanical or electrical power is to be employed shall not be permitted in the area.

3. From the schedule of estimates it may be seen that the council anticipates an annual betterment value of Rs.1,500 from the area included within the red outline and such other lands in the vicinity that would be benefited by the scheme.

Section 6 notification should therefore apply, say, to the area shown, within the limits of blue line in the enclosed paper tracing (T.P. 33/28). The list of S.Nos. included within the blue outline is appended.

4. Government should under the circumstances, take necessary action immediately under Section 6(2).

D.T.P. 603/28
12.4.28.

Ronsenham. 12/4/28
for Director.

List of S.Nos. included within the blue outline.-
S.Nos.199(part), 200(part), 221(part), 222, 217(part) 223, 216 & 220 of Ward No.4, and S.Nos.2, 3 (part), 4, 5, 6, 7, 8, 9, 10, 21(part), 29, 30, 31, 32, 33 and 35 of Ward No.5.

13116

MSR 14/4

5b

L. S. G (P-11)

The additional clause 1-7 suggested by the D.T.P. on pages 3-4 supra may be added to the draft scheme as clauses 13 — (20) 19.

The Council may be informed of the same before issuing a notification under Section 36 (1) of the Madras Town Planning Act 1920. The local ~~Govt~~ should give the names of the landowners and lands affected an opportunity of showing cause why such notification should not be issued. The Council may be asked to negotiate with owners of the owners concerned to the effect that they have no objection to the application of the provision of the Madras Town Planning Act, 1920 for the purposes of an improvement Scheme in respect thereof.

2. The Council proposes to meet the entire cost of the scheme from the surplus balance with it and does not propose to raise any loan for the purpose. It however proposes to approach Govt. for a grant as the purpose of the scheme is to clean up a highly insanitary area. However it may be noted that the policy of the Govt is not to give any grant for

7.5.24

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for town planning or town improvement scheme, the Council may at once be informed accordingly.

3. If the Council is ~~proceeding~~ able to finance the scheme a reference on the lines indicated in the preceding paragraphs may be made to the Council. Its financial position is examined below.

C-7173

thro' B/ Section

4. The net capital cost of the scheme is estimated to be Rs 19,600. In the Budget Estimate ~~of~~ for 1928-29 the Cl has provided for a capital expenditure of Rs 67,100 under the Town planning Act. It is not known whether this provision includes the amount required in the present case. If the provision does not include the amount required for the present scheme the Cl. cannot find the amount from its closing balance in the current year which is expected to be Rs 2702 only on 31.3.29 against the prescribed minimum balance of Rs 9550. Before proceeding further a report may be called for from the chairman on the point referred to at K above.

K

7.5.28

8.5.28 9/5/28.

Yes 10/5/28

A draft memo with reference to para 4 above ~~submitted~~ submitted below for approval.

10/5

11.5.28 11.5.28

5'8

+13 ↓ [O. M. No. 13116 =: 1 D3P. H dt 16-5-28]

+15 ↓ No. 22330 from the C.M.C. Mangalore No. 751-A-23-5-28

+16 ↓ No. 22503 from the D. T. P. No. 8/25/28-B2 F 5/28

The chairman reports that the

+15 ↓ provision of Rs 67,000 made under the Town Planning Account of the municipal budget estimate for 1928-29 includes the sum of Rs. 19,000 required for the Ejaliga Hittalu Improvement Scheme. The scheme can be financed without any difficulty.

2. The D. T. P. has submitted

+17-19 ↓ revised schedules II, III & IV and Maps C. and C, obtained from the chairman. These may be substituted for the old ones. According to the revised Schedule II the net cost of the Scheme is estimated at Rs 19,000 against the original estimate of Rs 19,000. This revised estimate is within the budget provision already made.

3. With reference to para 1 on page 5 supra the council may be asked to get the written consents of the owners concerned

to the effect that they have no objection to the application of the T. P. Act to the area in question. The council may also be informed of the additions suggested by the D.T.P. on pages 3–4 supra. A draft memo is submitted below for approval.

19-6-28 19.6.28

[o. n. No. 22330-1 D.T.P.H.A. 25-6-28] ↑204

No. 29331 from the D.T.P. No. 1100/28 & 10-7-28 ↑22 4

The D.T.P. considers that it will be impossible for the municipal council to obtain the written consents of the owners concerned to the effect that they have no objection to the application of the provisions of the Town Planning Act to the area in question for the purpose of a town improvement scheme, as the owners will not like a special assessment.

It is no doubt true that the only of making the enquiry referred to in section 6 (2) of the T.P. Act is known on the spot but there seems to be no objection to have it done through the Chairman of the council. The

D. T. P. admits it.

2. The D. T. P. suggests

(i) That the Chairman may be asked to notify the owners of the intention of the council to carry out a Town Improvement Scheme in the area and give them 30 days time to communicate in writing any objection they may have to the issue of a notification under section 6(1) of the T. P. Act or

(ii) Otherwise the enquiry may be made through the collector.

The first suggestion seems preferable and it may be communicated to the owners.

If the above view is approved the draft memo below is for approval.

Sd. 31-7-28

Sp 24-25 of 30-7-28 [Memo. 29331-1 D3 P. H, 31-8-28]

A draft memo. reminder is placed below for appl.

Sd 15/XI 15-11-28

Sp 26 of [Memo. 29331-2 D3 P. H, 16-XI-28]

6/

C No. 52142, from the C.T.C. Mangalore,
No. 696 / 8 3-XII-28 pp 27-42 c.f

Please see the statement at flag (H)
Out of the seven petitioners, three belong to one family and they request that the value of their building ~~was~~ included in the scheme should be paid to them and not to M. Venkappa, their senior uncle. Among the remaining four, M. Krishnappa alone objects to the inclusion of his properties in the scheme.

2. Sub-Section (2) of Sec. 6 of the Act contemplates only that an opportunity should be given to owners of lands and buildings in the area and as the Chairman reports that notices have been served on the owners of the land included in the Scheme, nothing more has to be done in this regard. The

3. One of the owners - Pandit Shiva Rao - has suggested certain additions and alterations in the boundary of the Scheme area - pp 35-36 c.f. The D.T.P. may be requested to state whether a notification under Sec. 6 (1) may now be issued.

L.S. f. 1107-
10/1/29.

DIRECTOR OF TOWN PLANNING
REC'D 30.
8-JAN.1929
MADRAS

L.S. f. no
52142-1 DTP
4-1-29

Cle 3/1 4.1.29

The notification may be issued
RW 8/1/29

D.T.P. 59/29
10.1.29

L-S-8 (PH)

Please see the D.T.P's note on page 10 ante.

2. The area — S.Nos. proposed to be included in the scheme by the Municipal Council is specified on p. 2 current file while that according to the D.T.P's note includes some other survey numbers in addition - Vide para 3 of his note on page 4 ante. It appears that the Chairman has consulted the owners of only such of the survey numbers which have been included by him in the scheme - vide the notice on p. 28 c.f. It is not clear whether the D.T.P. has considered this point. He may now be asked to state whether the area proposed by him is included in the scheme which has been in respect of a notification under S. 6(2) of the T.P. Act is proposed to be issued recommended for sanction and if not whether it the Chairman should not be asked now to consult the owners of these additional S.Nos. lands included in the list referred to in Para 3 of his note on p. 4 ante as required by Sec. 6(2).

L S go. PH
4107-1D3
24/1/29

Cl. 23/1 23-1-29 24/1.

D.T.P.

63

D. T. P's office

In as much as the mpl. cl. has proposed to levy betterment claim on lands affected by the Improvement Scheme, it is necessary for Govt. to include all lands specified in para 3 of this office endorsement on page 4 ante; in the proposed notification under sec 6(2) of the T. P. Act. Rec'd. may therefore be asked to consult also the owners of every other land referred in para 3 of this office endorsement & lying within the red boundary line shown in Maps C & C, (T. P. Nos. 48 & 52 of 28) sent to Govt. with this office letter D. T. P. 1100/28 dt. 10th July 1928. Schedule I, page 6 ante should be also revised by the Chairman in the light of the above.

Rd. 30/1/29.

D.T.P. 180/29
30. 1. 29.

L. S. (P.H.)

L. S.

The P. H. to the D. T. P. in charge agrees with the suggestion made in the note on p. 11 ante that the S. Nos. referred to in para 3 of the note on p. 4 ante should be included and that the owners thereof also should be consulted.

31/1/29

D.T.P.
1/2

Maps 6 and 6, may perhaps be sent to the C.N.C. Mangalore for perusal and return. He may also be asked to prepare & submit a revised schedule in place of Sch. 1 - p. 6 of. 2. A draft memo. is placed below for approl.

CAM 14/2 Gr. 14.2.29

43-44
pp ~~43-46~~ of L Memo. No. 3962-1 D_3 PH, dt 15.2.29]
pp 45-49 of C.No. 23304, From the C.N.C. Mangalore, No. 97, dt 19-6-29

The owner of T.S. Nos. 217 & 221 which are portions of the Ganapati High School objects to their inclusion in the scheme - vide objection petition on pp 49-50 of. The remarks of the D.T.P. may be invited on the above objection petition.

CAM 27/6 Gr. 27.6.29

C.No 1045 3-JUL.1929.

LS Memo 23304-1 D_3 PH 2/7/29

DTP

1.7.29

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Town Planning Department.

The town improvement scheme proposed by the Council would considerably benefit the school in T.S.Nos 217 and 220, by eliminating the slum conditions that prevail very near it; so that their exclusion of the fields from the area for notification under Section 6 of the Town Planning Act, is not justifiable.

2. It is not also necessary to include the survey fields, referred to in paragraph 5 of the letter from the correspondent of the Ganapathy High school, (P.50) in the Town Improvement ~~area~~ Scheme, unless the municipal Council, Mangalore is prepared to acquire them for play ground purposes. Since the Chairman's letter is silent in the matter it may be taken that his council is not ~~be~~ in favour of such acquisition.

3. Notification under Section 6 of the Madras Town Planning Act in respect of the scheme may now issue ~~at an early date~~.

p50 of

D.T.P. 1033/29
4.7.29.

The Secy. to Govt.
L.S.G.Department.

SECRETARY TO GOVERNMENT
4- JUL 1929
LOCAL SELF-GOVERNMENT DEPARTMENT.

Rowcliffe 4/7/29.
offg. D.T.P.
L-S-8(P-41)

In the circumstances stated by the offg. D.T.P. in para 1 of his note above the objection of the Correspondent to the inclusion of T.S.Nos. 217 and 221 may be overruled.

2. The scheme may be sanctioned. A draft order is placed below for approval which may be sent to Law (Drafting) Deptt. for acceptance being the first order under Sec 6(1) of the Act

pp 49-50 of 29/30

15 JUL
LAW DEPT.

LSG no 2493-IP 13/7/29

13/7

29/1066
16.7.29.

Add 12/7.

Law (Drafting) Department.

pp 328-329 G. Supplement to Madras Code - 2nd p.1 ref.

Under section 6 (1) of the Madras Town Planning Act, 1920, the Local Government may apply to the area with necessary modifications sections 23 to 26 and Chapters V and VII of the Act for the purpose of the Improvement scheme. The notification does not specify the modifications subject to which sections 23 to 26 and Chapters V and VII of the Act are extended, but merely states that those provisions are extended with necessary modifications. It is necessary to specify these modifications in the notification. L.S.G. is requested to specify what those modifications are in the notification and send the file to this department for final scrutiny.

p.2 G.O. ref.

26-7-29

Dg no. 1060-1
30.7.29.

Sec.
27.7

L.S.G.

L.S.G.(P.H).

30/7/29.

INVENTION DEPT.

LSG no 1153-1D3
1/8/29 ARS 30/7

The Offg. D.T.P. may be requested to specify the modifications, if any, subject to which Sections 23 to 26 and Chapters V and VII of the Act may be extended.

DIRECTOR OF TOWN PLANNING
CNo 1259.
3-AUG 1929
MADRAS

Asst. Sec.
1/8
1.8.29

1/R 1/8

A.S. D.T.P.

TOWN PLANNING DEPARTMENT.

Subject: Guliga Hithlu Town Improvement scheme - Mangalore Municipality.

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Retransmitted.

II. The following modifications in Sections 23 to 26 and Chapters V and VII of the Madras Town Planning Act,1920, are suggested:-

Modifications in Sections 23 to 26 and Chapters V and VII

1. Section 23. Substitute the words " this town improvement scheme" for the words in lines 1 and 2 "any town planning scheme"; omit the words in lines 3 & 4 "the time (if any) - - limited by the scheme, not being later than"; substitute the word "of" for the word "after" in line 5; omit in line 6 the words "sanctioning a scheme"; and for the number "14" in line 7 substitute "6 sub section (1)".

2./(1) Section 24 clause (a). For the number "10" substitute the number "6" and delete the words and number "or section 12".

(2) Clause (b). For the numbers and brackets "14" and"(5)" substitute respectively the numbers and brackets "6" and "(1)".

3. Section 27. Delete the words and number "After a scheme has been sanctioned under Section 14";and put "The" for "the"

4. (1). Section 28 clause (a). Substitute the words,letter numbers and brackets "under clauses(a) to (d) of sub section of section 5" by the following - "in order to render original plots more suitable for building purposes".

(2). Section 28 clause (b). Substitute the words,letter number and brackets "clause (k) of section 4" by the words number and brackets "Section 6 subsection (4)".

(3) Section 28 clause (c). Delete the words "within the meaning of section 20"; for the words "in accordance with the provisions contained in Chapter IV" substitute the following - "subject to the same provisions as those contained in sections 20 to 22 of the Act,with modifications as noted below -

(1) Section 20. Delete the words and number in line 2 and 3 "by any refusal of the municipal Council to grant permission applied for under Section 17 or"; substitute the words in line 4 "a town planning" by the word "the"; dele

the words and brackets in line 5 "(if any)", as well as, the words in lines 6 & 7 "sanctioning the scheme"; and substitute the words, numbers and brackets "6 sub section (1)" for the number in line 8 "14".

(ii) Section 21. Delete the words in line 2 "under section 20"; substitute the number "6" for the number in line 5 "10"; delete the words and number in line 6 "or section 12"; put a full stop (.) after the number and brackets "(1)"; and delete the portion "provided that this provision shall not apply to any building erected, contract made or other thing done in accordance with a permission granted under Section 17".

(iii) (a) Section 22 clause (1). Substitute the word "the" for the words "a town-planning";

(b) Section 22 clause (2). Substitute the word "the" for the word "a" occurring ~~line~~ in line 2; delete the portion "4 clause(m) or clause (n)"; and insert after the word "section" the words, number and brackets "6 sub section (1)";

(c) Section 22 Clause (3). Substitute the word "scheme" for the word "Act" occurring in lines 2 and 7; insert the words and number "the Madras District Municipalities Act, 1920 or" between the words in line 4 "under" and "any"; and also between the words in line 8 delete "the" and "under" and "any"; and also between the words in line 8 "the" and "under" insert the words "Madras District Municipalities Act, 1920 or any" "

(4). Section 28 clause (d). Substitute the number "6" for the number "10"; and delete the words and number "or section 12 as the case may be".

5. Section 33. Substitute the word "the" for the words " a town-planning".

6. Section 34. Substitute the number, words and brackets "6 sub section (1)" for the number "14".

7. Section 35 sub section (2) clause (a). Substitute the number "6" for the number "10"; and delete the words and number "or section 12, as the case may be".

8. (i) Section 35 sub section (3) clause (d). Substitute e number "6" for the number "10"; and delete the words and

number "or section 12, as the case may be".

(ii) Sub section (3) clause (f). Delete the portion "unless they are covered by a permission obtained from the Municipal Council under Section 17"

III. Certain alterations and additions are also necessary in the draft improvement scheme, which are noted below:-

(1) Certain words used in the draft scheme require to be defined ; and the following sub clause may be included under clause 1 -

In this scheme, unless there is anything repugnant in the subject or context, -

"Scheme" means the Guliga Hithlu Area Improvement scheme, Mangalore.

"Act" refers to certain provisions of the Madras Town Planning Act as modified in G.O.No..... dated.....

"Area" means the area included in the scheme.

"Chairman" means the Chairman of the Municipal Council, Mangalore.

"Council" means the Municipal Council, Mangalore

"Map" or "schedule" means the map or schedule annexed to the scheme". "

(2) Omit clause 14 (page 13-O.F.) in view of the modifications suggested under paragraph II above

(3) The scheme does not impose any obligation on owners to comply with the scheme after notification. It does not also give any power to the municipal executive to enforce such scheme. It is suggested that a new clause may be inserted providing for such matters. The following may be inserted as clause 14 which is framed on the lines of provisions contained in sections 18 and 19 of the Town Planning Act:-

"14(1):- From the date of the notification of the Local Government under section 6 sub section (1) all owners of lands and buildings in the area affected by the

scheme, who propose to construct or reconstruct, or in any way alter or add to buildings, shall conform in every particular with the requirements of such scheme; and no building shall be constructed or reconstructed in any area in which building is expressly forbidden in the scheme, or which is reserved in the scheme for any purpose incompatible with such building.

(2)(a) On and after the day on which the scheme comes into force, the Chairman may make a provisional order requiring an owner to remove, pull down or alter any building or other work in the area included in the scheme, which is such as to contravene the scheme, or in the erection or carrying out of which any provision of the scheme has not been complied with;

(b) The Chairman shall serve a copy of the provisional order made under clause(a) on the owner, together with a notice requiring him to show cause within a reasonable time to be specified in such notice, why the order should not be confirmed;

(c) If the owner fails to show cause to the satisfaction of the Chairman, the Chairman may confirm the order and such order shall be binding on the owner and may be enforced and the expense of enforcement may be recovered by the means provided in the Madras District Municipalities Act, 1920, for the enforcement of the lawful orders of municipal authorities and for the recovery of expenses thereby incurred. An appeal shall lie to the local Government against the order of the Chairman and their decision shall be final."

(3) In clauses 15 and 18 (p.4 U.F.) delete the portions referring to Rules G.O.No.1391 P.H. dated 20th August 1923.

(4). Omit clause 17, as a town improvement scheme under the Town Planning Act cannot provide

for reservation of lands under section 4(k).

(K) (5) Insert the following as clause 17.-

"The Rules G.O.No.1391 P.H. dated 20th August 1923, Parts D - Betterment and Part E - Arbitrator, shall apply to this scheme, with the following modifications:

(1) Rule D.1. Substitute the word "the" for the words " a town planning"

(2) Rule D.2. Delete the sentence "It shall be divided into parts, one part being allotted to each scheme" and also the words "In each part"; put the capital letter "A" for the small letter "a".

(3) Rule E 1. Substitute the words "the municipal office" for the words "every local authority"; and delete the words "any portion of".

(4) Rule E.2. Substitute the word "the" for the words "a sanctioned"; also substitute the words "in pursuance of the scheme" for the words letters, numbers and brackets "under clauses(a) to (d) of section 5".

(5) Rule E.3. Substitute the words, number and brackets "section 6 sub section (1)" for the words, number, letter and brackets "clause (k) of section 4".

(6) Rule E.4. For the word and number "section 20" substitute " the Government Order No..... dated ....., permitting the application of certain provisions of the Town Planning Act with necessary modifications"; and for the words "sanctioning the scheme" substitute "date of notification under section 6 sub section (1)".

(7) Rule E.5. Substitute the word "municipal council" for the word "local authority".

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(8) Rule E 8(b). Substitute the number "6" for the number "10" and delete the words and number "or under section 12".

(9) Form No.13. Substitute the word "improvement" for the word "town planning"; substitute the words, numbers and brackets "section 6 sub section (1)" for the words, numbers etc. "Sub section (1) of section 10 / Section 12 " ; insert the word, brackets etc."(Form No.11)" after the word "statement"; and before the words "to declare" insert the words "as modified in G.O.No..... dated ....."

IV. The Government may themselves carry out the above modifications in the draft improvement scheme, without referring back to the Municipal Council, Mangalore, in order to avoid further delay in the notification of the scheme.

R.Srinivasan.
9/8/29.

Offg.Director.

D.T.P. 1246/29
9.8.29.

The Secretary to Government,
L.S.G.Department.

SECRETARY TO GOVERNMENT

L.S.G.(P.II) Sec.11

As the alterations and additions suggested by the Offg. D.T.P. on pp 18-21 supra affect the clauses embodied by Mr. Dawn in the scheme and as the former have not given any reasons

ARB 17.9.29

necessitating such
~~for this~~ alterations at this stage,
it seems necessary to consult
Mr. Dawson again as to whether
he will agree to the alterations
now proposed being carried out in
the scheme. The file may
therefore lie over till Mr Dawson
returns from leave.

CAR
19/8 Ge
19.8.29

Ys
Mrs

Mr Dawn has returned from leave
- Then file may be sent to ~~him~~
~~D.O.~~ H.O: for early remarks

CAR
LSG no 30 246-1 DP 13/4 Ge
3.10.29
3/10/29

Mrs

Mrs
8/10

DTP.W

The T.P. Amending Bill has
now become law & the question
discussed in pages 15 - 22 does not now
arise as Town Improvement is now
included under Town Planning. The
scheme may therefore be sanctioned
as a T.P. scheme, but first it should be
~~returned~~ referred back
to the Council for resubmission

74

under the Amending Act as there may
be some doubt whether the
procedure with respect to T.P. schemes
has not been fully complied with. Presumably
previous action taken under ~~[illegible]~~ 24/4/30 -
~~[illegible]~~
section 6 of the Old Act cannot
be considered sufficient?

PW 24/4/30

See to Govt L.S.G. no.

DTP. 704/30
24 4 30.

ASST. 25 APR 1930 L.S.G. SECTT.

15527

L.S.G.(P.H.)

Please see the remarks of the
D.T.P. on pages 22-23 ante.
Section 6 of the old T.P. Act, 1920,
has been omitted and there is no
corresponding provision in the New
Act II of 1930. The scheme has
to be considered as a regular
town planning scheme which now
includes town extension schemes also - vide Section 4(a). The
action already taken by the
consent under section 6 of the old Act has no value. All the
formalities laid down in sections
9 to 11 of the T.P. Act, 1920,
as amended by the Act II of 1930
have to be observed afresh.
A draft order is submitted for approval

MR 29/4

MR 9/5

MR 6/5/30 KB 7/5

AG 9/5

Sectt. II-5 (b)—3,002—20-7-28. (6)

	Date.	Initials.
When received for Fair-copying.		
When copied ..	13/5	
When examined ..		
When signed ..	13/5	
When despatched ..		

74 L.S.G. (P.H.) DEPARTMENT.

Town-Planning - Mangalore Municipal Council - Guliga Hithulu Improvement scheme - to be prepared as a regular town planning scheme.

READ AGAIN G.O. No. .. , dated .. 192 .

" " " " .. " .. 192 .

READ ALSO :—

C. No. 7173 From the C.M.C., Mangalore , No. 751-A-1/27-28 dated 14/2/1928 192 .

233304 -Do.- 97-B/29-30., dated 19/6/1929.

" " .. " " .. " .. 192 .

" " .. " " .. " .. 192 .

ORDER.

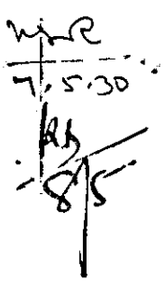
Misc.

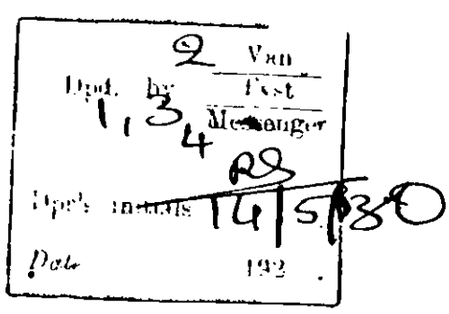
No. 1178, dated 13-5-1930

The Mangalore Municipal Council proposes to undertake, in virtue of the powers vested in it under the Madras District Municipaliti Act, 1920, a scheme of town improvemen known as 'The Guliga Hithulu Improvement scheme' and has requested Government to issue a notification under section 6(1) of the Madras Town Planning Act, 1920, and to apply to the scheme, with necessary modifications, the provisions of sections 23 to 26 and chapters V and VII of the above Act. Section of the Act has since been repealed by Act II of 1930 and under section 4(a) of the New Act "town improvement" is included within the definition of Town Planning. The 'Guliga Hithulu

7.6

Improvement Scheme' should now be prepared as a regular town planning scheme and all the formalities laid down in sections 9 to 11 of the Madras Town Planning Act, 1920, as amended by the Act II of 1930, should be observed in respect of the above scheme.





1.

To the C.M.C., Mangalore, (Q. & O. with maps returned.)

,, D. T..P.

Copy to Collector of S. Kanara.

,, Inspector of Municipal Councils and Local Boards.

PH Geo 1373 Mysore

4-1-30

5
1754 MW 21 6121 37